



## ELEVENTH ITEM ON THE AGENDA

**Report of the Working Group on the International Labour Conference**

1. Pursuant to the terms of reference assigned to it by the Governing Body at its 294th (November 2005) and 297th (November 2006) Sessions,<sup>1</sup> the Working Group on the International Labour Conference met on 8 November 2007 in order to assess the results of the implementation of the proposals that the Governing Body had decided to introduce on a trial basis during the 96th Session (June 2007) of the Conference. The Working Group was chaired by Ambassador Masood Khan (Pakistan). The Vice-Chairpersons were Mr Daniel Funes de Rioja (Employers' group) and Sir Roy Trotman (Workers' group).
2. For this purpose, the Working Group had before it a document<sup>2</sup> giving an initial assessment of the practical application of the changes introduced at the 2007 session of the Conference, on the basis of the comments made at the session of the Governing Body held on 15 June 2007 immediately following the 96th Session of the Conference, and the subsequent informal consultations with the members of the Governing Body, representing the three groups of constituents.
3. The members of the Working Group structured their contributions around the changes introduced in June 2007 which they felt were positive, the proposed improvements that they wished to see tested during the June 2008 session and, lastly, the remaining points on which they were not yet able to advance specific proposals, but on which discussion should, in their opinion, continue. In order to guide discussions, some points were collated under the heading "issues to be discussed". In the course of the debate, the need to continue this discussion to improve and update the nature and the visibility of the Conference was also emphasized.

**Changes regarded as positive**

4. With regard to the first two weeks of the Conference that are, in the main, dedicated to the work of the Conference committees, now characterized as the "technical part" although it clearly covers political elements as well, the Working Group stated that it was, on the whole, satisfied with the way in which the committees had worked. It emphasized, however, that the fact that the three technical committees had been able to finish their work

<sup>1</sup> Documents GB.294/4/1 and GB.297/4.

<sup>2</sup> Document GB.300/WG/ILC appended to this document.

before the end of the second week had undoubtedly been due not only to the new format, but also to a number of other factors that had contributed to the success of their work. It was therefore important to maintain a certain flexibility in the technical committees' programme of work, in the light of the specific issue to be examined, particularly when it related to a standard-setting issue.

5. The introduction of a high-level tripartite panel was unanimously welcomed as a positive new development. It was, however, suggested that a true interactive discussion be organized in the future, with the possibility of enlisting the help of an external moderator to lead the discussion on a stimulating subject.
6. The ILO Decent Work Research Prize was regarded as a constructive initiative. Although it was felt that the award ceremony should be part of the plenary, it might be possible for the addresses by the prize winners to take place at a parallel session to that of the presentations given during the plenary of the Conference.

## Proposals for 2008

7. In order to compensate for the possibility of a lack of a quorum in the event of a vote at the beginning of the Conference, the Working Group agreed on the opportunity to bring forward the discussion on candidates for the Credentials Committee to a date before the beginning of the Conference, and thereby enable the Conference, through its provisional Officers (that is, the Officers of the Governing Body), to establish the Credentials Committee immediately after the opening of the Conference, either by amending the International Labour Conference Standing Orders or by suspending specific provisions thereof.
8. It was deemed opportune to establish a Standing Orders Committee in 2008, which would be responsible for examining the *Interim provisions of the Standing Orders of the International Labour Conference concerning verification of credentials* ("Interim provisions"),<sup>3</sup> in addition to other changes to the Standing Orders likely to facilitate the introduction of the proposed changes to the planning and organization of the Conference.
9. In order to respond to the common concern of improving the management of the time allocated to the plenary, it was recommended that the list of speakers, once drawn up, should be adhered to. It was considered difficult to alter the opening times of the morning sessions (10 a.m.), since certain times were reserved for preliminary group meetings. It was also agreed that the lunch break should be maintained, and should last at least one hour.
10. While the Working Group welcomed the interest shown in the Conference by the unprecedented number of eminent political figures who had addressed the Conference in June 2007, it expressed the wish that the number of guests of honour would not exceed two or three, in order to allow more time during the day for general discussion in plenary. These guests should be people likely to impart a significant message to the Conference relating to the ILO's fundamental objectives, thereby genuinely enhancing discussions. It was also suggested that the guests of honour would not necessarily be limited to government personalities. The length of protocol formalities, which had already been restricted last June, could be reduced even further.

<sup>3</sup> See document GB.300/LILS/1.

11. The Working Group also noted the proposal, made by the Office in the tentative plan of work prepared for the June 2008 session, to fix a single day for adopting the four committee reports, not including the report on the application of standards scheduled for the final day. Such an arrangement could solve the problem of establishing a better timetable for the adoption of committee reports in the plenary.
12. With regard to arrangements for discussing the Global Report under the follow-up to the Declaration on Fundamental Principles and Rights at Work, the Working Group suggested that a moderator could contribute to invigorating discussions, and expressed its confidence in the Office's ability to find a solution that would make discussions genuinely interactive.

## Remaining points on which discussion should continue

13. In the absence of a Resolutions Committee, the Working Group considered that a discussion on the steps to establish an ad hoc solution to the problem of dealing with resolutions needed to be undertaken. It was important to avoid the discussion of political issues in the technical committees. In the meantime, the emergency procedure, which involved referring to the Selection Committee any draft resolution not related to an item on the agenda after a favourable decision adopted by the Conference at the proposal of its Officers, continued to be applied.
14. The Working Group was also unable to make a fully acceptable proposal regarding the scheduling of the June session of the Governing Body. Although some had expressed a preference for an early session, it was considered that due to the Governing Body elections (scheduled for Monday, 2 June 2008) at the 2008 Conference, a further legal analysis of the relevant provisions of the Standing Orders was necessary to continue discussions on the matter.
15. Lastly, the issue of publishing the *Provisional Record* in the three languages was, in the Working Group's opinion, worthy of more thorough examination with a view to finding a solution that would reduce the translation and editing costs linked to production of this record in three languages during the Conference. In order to respond to the requests that had often been made, the Office could explore new avenues with a view to finding a solution at the time of the Conference.
16. *In the light of the foregoing considerations, the Governing Body may wish to:*
  - (a) *decide that the structure put in place for the 96th Session of the Conference last June should be used again for the next session of the Conference in June 2008 and that the amendments proposed above by the Working Group should be taken into account when planning this next session;*
  - (b) *decide that the mandate of the Working Group be renewed to permit it to, during the 301st Session (March 2008) of the Governing Body, decide upon the last details regarding the organization of the next session of the Conference, without going back over the items that the Governing Body may approve during this session.*

Geneva, 13 November 2007.

*Point for decision:* Paragraph 16.



## **FOR DEBATE AND GUIDANCE**

### **Review of the functioning of the Conference**

#### **1. Background**

1. At its 294th Session (November 2005), the Governing Body established the Working Group on the International Labour Conference, composed of eight representatives of each of the three groups of the Governing Body, with the objective of developing recommendations on possible improvements to the structure and functioning of the Conference. At that session, the Governing Body examined a document on the five main functions of the Conference.<sup>1</sup> During the 295th Session of the Governing Body (March 2006), the Working Group held two meetings to discuss and analyse the proposals and contributions made by individual Governments, government regional groups and the group of Industrialized Market Economy Countries (IMEC), as well as by the Employers' and Workers' groups.
2. In November 2006, after formal meetings and informal consultations, the Working Group agreed on a series of proposals which the Governing Body recommended for introduction on a trial basis at the 96th Session of the Conference (June 2007). In addition, the Governing Body decided that the Working Group would undertake a review in November 2007 of the outcomes of the practical application of the proposed changes at the 2007 session of the Conference and report on these matters to the 300th Session of the Governing Body (November 2007).
3. The proposed changes were based on a number of concerns, including:
  - the desire for a clearer distinction between the technical and political functions of the Conference, so that both would be optimally covered, and to improve attendance at the Conference;
  - the need to enhance the visibility of the Conference;
  - the aim of greater outreach to constituents and beyond;

<sup>1</sup> GB.294/4/1.

- the need to make better use of time available for different functions of the Conference.
4. The present document provides a first assessment of the practical implementation of the changes introduced at the 2007 session of the Conference. It looks initially at the first two weeks of the Conference, which were essentially devoted to the technical work of the Conference Committees. It then examines and draws some preliminary conclusions from the third week, when the Conference met mainly in plenary.

## **2. The technical part of the Conference**

5. The 96th Session of the International Labour Conference opened on Wednesday, 30 May 2007. Group meetings had been held the previous day. Despite a delay in electing the President of the Conference, the provisions of the Standing Orders of the Conference permitting the Officers of the Governing Body to act as provisional Officers of the Conference and the early establishment of the Selection and other Committees enabled the Conference to proceed with its work. Overall, devoting the first two weeks to the technical work of the Conference Committees was seen to be a positive development. In fact, for the first time in recent memory, none of the Conference Committees had to work beyond Friday, 8 June (other than to adopt their reports). The following observations can thus be made:

- Dedicating the first two weeks to the committees allowed participants to focus on important technical issues without interruption or competition and to complete work within or even ahead of the time initially planned.
- It is necessary to maintain a certain degree of flexibility in the schedule of technical committees, depending on the issue under consideration, and to keep in mind that a desire of the Organization is to achieve successful negotiated outcomes, which may require extended schedules.
- Where applied, the use of technology to display amendments and subamendments to draft texts electronically on a screen in all three languages (SAM) in committee meetings was successful, and its further use in technical committee meetings was strongly recommended. Some improvements were nevertheless suggested regarding the way amendments or subamendments are displayed on the screen; for example, the use of certain colours in the text should be avoided.
- The Global Report under the follow-up to the 1998 Declaration was discussed by the Conference in plenary sitting at the end of the second week (on Friday, 8 June 2007). Although the discussion took place in a conference room and not the plenary hall, this discussion was still considered to be lengthy and non-interactive. A suggestion has been made to replace this in the future by a two-hour panel discussion, maybe with the possibility of submitting written comments in advance. The format of the Global Report debate is clearly still work in progress and the desired format has not been found.
- The agenda of the 2007 Conference was atypical for a session at which a draft Convention and Recommendation were being examined, since it involved, essentially, a “third” discussion of drafts that had been reviewed by the Conference at two earlier sessions and on which important consultations had been held between the 2006 and 2007 sessions. The Committee Drafting Committee was therefore able to finish its work earlier than the tentative agenda had predicted.

- There was no Resolutions Committee, nor was any emergency resolution proposed on urgent matters.

### 3. The plenary week

6. June 2007 proved, in fact, to be a good but also particularly demanding test for the new format. The plenary week<sup>2</sup> covered almost a maximum of agenda items: the plenary debate of the reports of the Director-General and the Chairperson of the Governing Body, with 107 ministers, 15 Government delegates, 79 Workers' delegates, 50 Employers' delegates and 32 other representatives; five special guests (and two guests in the preceding week); the adoption of the programme and budget; the adoption of the reports of six committees; the adoption of a Convention and a Recommendation; a high-level panel discussion; and the presentation of the Decent Work Research Prize. Future plenary weeks may not always be as demanding. Even so, it is obvious that one of the key issues is the optimal use of time.

7. The following preliminary conclusions should be recorded:

- Although the high-level visibility of the Conference should be enhanced and thus, high-level speakers (Heads of State or Government) should continue to be invited to address the Conference, the number of these special guests should be limited to a maximum of two or three. The protocol involved should be kept to a minimum, as was the case at the 2007 Conference.
- It was felt that discussions of the reports of Conference Committees should not take place at the end of the day. Adequate time should be allotted for these reports, taking into account that some issues may generate more discussion than others. This raises, however, the concomitant problem of delegates having to speak at the end of the day instead.
- The plenary schedule has to be adjusted in order to try to avoid extended sittings in the evenings, as attendance invariably drops after 6 p.m. and basically only those still scheduled to speak, with accompanying persons, remain in the plenary hall after that time. The lunch break could be limited to one hour (between 1 p.m. and 2 p.m.) to permit the scheduling of more speakers. Group meetings in the morning could be concluded in such a way as to allow the plenary sittings to start on time at 10 a.m.
- Improvements in time management continue to be needed urgently. In that respect, late or unannounced changes to the workplan or to the timing of plenary sessions are to be avoided. Once established, the list of speakers should be strictly followed. The list should be balanced for all the constituents.
- The high participation at the ministerial level (107 ministers registered on the list of speakers in 2007) provides an opportunity to organize special events during the third week, such as a high-level panel of ministers of labour and representatives of social partners. However, this should not distract from the plenary speeches.
- The tripartite panel was a positive addition to the agenda but, if the model is to be pursued, a more interactive structure should be envisaged.
- The modalities of the ceremony for awarding the Decent Work Research Prize should be reconsidered.

<sup>2</sup> See Appendix I.

- Although the decision to hold a session of the Governing Body on the last Friday afternoon (immediately after the closure of the Conference) was not questioned, it was generally felt that the session started too late and was too long. Preparations and attendance were a problem. Although for practical reasons, it was sensible to hold this session in a conference room of the Palais des Nations, this did not provide for optimal circumstances for Governing Body meetings. Since some of the items on the agenda of the June session of the Governing Body relate to matters not directly affected by the Conference, thought should be given to the session being split (as in June 2006), with an early sitting to address such matters. This issue should also be considered in the light of the timing of the Governing Body elections.
- The potential to make greater use of technology to improve use of time, visibility and impact should continue to be explored.

#### **4. Future considerations for 2008 and beyond**

8. The structure used for the Conference in 2007 could be used for 2008, with the first two weeks being devoted to the technical committee and the third week being devoted to plenary.<sup>3</sup> Logistical considerations relating to tighter United Nations security and to the overlap of the Conference and the Union of European Football Associations (UEFA) Euro 2008 Championships may have some effect on the Conference, notably on Wednesday, 11 June 2008.
9. To avoid a lack of quorum at the outset of the Conference, Governments could be encouraged to list representatives of the missions as substitute delegates at the outset (with changes possible at a later stage if so wished), which would make it much easier to avoid a lack of quorum in an early vote. Moreover, the Conference Standing Orders could be amended to enable the Conference, under the provisional Officers (Governing Body Officers), to appoint the Credentials Committee as the first order of business. This would permit early establishment of a quorum based on actual registrations.
10. Although no second discussion of a standard-setting item has been scheduled prior to 2010, thought should be given to further adjustments in the Conference schedule in years when standards are presented for adoption.
11. It will be necessary to establish a Standing Orders Committee in 2008 to deal with the interim provisions on credentials<sup>4</sup> and other changes to the Standing Orders which may be needed in the light of the new Conference format.
12. A procedure will have to be established for draft resolutions when there is no Resolutions Committee. At present, the only available procedure for a draft resolution on an issue which is not related to an item on the agenda of the Conference is the procedure for urgent matters (the so-called “emergency” resolution procedure, used only once in recent history) or matters of an entirely formal nature.<sup>5</sup> The Programme and Budget for 2008–09 does not allow for a full Resolutions Committee.

<sup>3</sup> See Appendix II.

<sup>4</sup> See GB.300/LILS/1.

<sup>5</sup> See articles 15 and 17 of the Standing Orders.

13. The question of issuing the *Provisional Records* in three languages (for which resources are not available) needs to be examined further, with a view to finding an affordable solution that preserves a complete historical record of the debate in English, French and Spanish.
14. No votes are currently scheduled for the Conference at its 2008 session. However, votes – for instance on re-establishing a country's right to vote – can take place at any time.
15. Governing Body elections for the 2008–11 period will be held during the 2008 session of the Conference. In June 2002 and June 2005, these elections took place on the Monday of the second week. On the tentative plan of work for the 2008 session, they have therefore been scheduled to take place on Monday, 2 June 2008 (Monday of the second week). The modalities of these elections should be discussed and the scheduling of the Conference sessions will need to take this into account every third year.

## 5. Issues to be discussed

16. The issues on which guidance from the Governing Body is needed include:
  - timing of the plenary debate (starting time in the morning, lunch break, extension of sessions into the evening);
  - timing of the presentation of committee reports;
  - number (and timing) of special guests;
  - voting (timing needs to provide adequate advance notice of what is to be voted upon);
  - Decent Work Research Prize (in plenary sitting or a separate guest lecture);
  - timing of the Governing Body session (options include the Saturday at the end of the second committee week, the Friday afternoon immediately after the Conference and the Saturday after the Conference); if the session is split in June 2008, this should be done in the light of the date scheduled for the Governing Body elections;
  - scheduling the credentials process in advance of the Conference to avoid quorum difficulties at the outset of the session, and having the Plenary of the Conference directly appoint the Credentials Committee as early as possible;
  - any other relevant question.

Geneva, 30 October 2007.

*Submitted for debate and guidance.*



## Appendix I

### Actual use of plenary time in the third week (June 2007)

Day	Morning	Afternoon
Wednesday 30	10.00–11.00	<b>Opening ceremony</b>
Monday 4	10.30–11.00	<b>Guest speaker</b>
	11.30–12.00	<b>Guest speaker</b>
Friday 8	10.00–13.00	Selection Committee and Credentials Committee Reports
		15.00–18.00 <b>Global Report</b>
Monday 11	10.20–12.30	Presentation by the <b>Director-General</b> of his Report
		14.35–20.00 <i>Discussion reports DG and GB Chair</i>
	12.30–13.00	<b>Guest speaker</b>
Tuesday 12	10.15–10.45	<b>Guest speaker</b>
		14.30–20.35 <i>Discussion reports DG and GB Chair</i>
	11.05–11.35	<b>Guest speaker</b>
		19.15–19.45 Finance Committee Report
	11.55–13.50	<i>Discussion reports DG and GB Chair</i>
		19.45–20.35 Work in Fishing Committee Report
Wednesday 13	10.00–11.25	<i>Discussion reports DG and GB Chair</i>
	11.30–12.05	<b>Guest speaker</b>
		14.30–15.30 <i>Discussion reports DG and GB Chair</i>
	12.00–13.00	<b>High-level Panel: Social dialogue and tripartism</b>
		15.35–16.30 Sustainable Enterprises Committee Report
		16.35–17.00 <i>Discussion reports DG and GB Chair</i>
		17.05–21.25 <i>Discussion reports DG and GB Chair</i>
Thursday 14	10.15–10.25	Selection Committee Report
		14.30–20.25 <i>Discussion reports DG and GB Chair</i>
	10.25–12.00	<b>VOTES (Finance and Fishing Sector)</b>
	12.05–14.15	<i>Discussion reports DG and GB Chair</i>
Friday 15	10.00–10.55	Application of Standards Committee Report
		15.15–18.50 <b>Governing Body</b>
	11.05–11.45	<b>Guest speaker</b>
	11.50–13.40	Application of Standards Committee Report and ILO Capacity Committee Report
	13.40–14.15	<b>Decent Work Prize</b>
	14.15–15.00	<b>Closing ceremony</b>

## Appendix II

### Tentative plan of work 97th Session (28 May–13 June 2008) of the International Labour Conference

	T 27	W 28	Th 29	F 30	S 31	M 2	T 3	W 4	Th 5	F 6	S 7	M 9	T 10	W 11	Th 12	F 13
Group meetings	■										■					
Plenary sittings		■								■ <sup>2</sup>		■ <sup>3</sup>	■ <sup>3</sup>	■ <sup>3</sup>	■ <sup>3</sup>	■
GB elections						■										
Selection Committee		■ <sup>1</sup>														
Finance Committee							■	■		A				PI		
Committee on the Application of Standards		■ <sup>1</sup>	■	■	■	■	■	■	■	■	■		A			PI
Committee on Strengthening the ILO's Capacity		■ <sup>1</sup>	■	■	■	■	■	■	■	■	□		A	PI		
Committee on Rural Employment for Poverty Reduction		■ <sup>1</sup>	■	■	■	■	■	■	■	■		A		PI		
Committee on Skills Development		■ <sup>1</sup>	■	■	■	■	■	■	■	■		A		PI		
Standing Orders Committee		■				A							PI			
Governing Body		■ <sup>5</sup>														■ <sup>4</sup>

<sup>1</sup> From 11 a.m.

<sup>2</sup> Discussion of the Global Report under the follow-up to the ILO Declaration.

<sup>3</sup> Extended sitting if necessary.

<sup>4</sup> On completion of the Conference.

<sup>5</sup> Programme, Financial and Administrative Committee.

**A** Adoption by the Committee of its report.

**PI** Adoption of the report by the Conference in plenary sitting.

■ Half-day sitting.

■ All-day sitting.

□ Sitting if necessary.